

 M O N C T O N	POLICY	Owner Department: Parks
	Protection of Trees on City Property	
Effective Date: September 8, 1998	Last Reviewed Date: April 15, 2019	
Approving Authority: Moncton City Council	Replaces No.: Policy 1304	
1. Preamble		

The City of Moncton recognizes trees as valuable assets of the community. The urban forest plays a key role in sustaining a healthy community as well as adding to the beauty and character of our landscape. Trees help to moderate temperatures, regulate our water system, prevent erosion and improve the quality of the air we breathe. Trees also offer shade in summer and serve as windbreaks in winter, provide habitat for wildlife, and serve as a backdrop for a variety of recreational activities. This policy deals with trees on City property. It represents an important first step in sustaining the natural beauty of our community and it is designed to be a guideline for all of our citizens.

2. Policy Statement

It is the desire of the City to preserve, protect, and maintain in good health, trees on lands owned by the City of Moncton. No person shall remove or alter a tree on City property without first receiving written permission to do so from the General Manager, Parks & Leisure Services, or his designate. The City recognizes the rights of utility companies, particularly New Brunswick Electric Power Commission (N.B.E.P.C.), who must ensure trees on municipal property do not interfere with power services. As a result, through a cooperative approach, the City will work with N.B.E.P.C. to ensure City trees are protected.

3. Definitions

“**Barrier**” includes any fence, box, frame, guard or other device placed on, around or near a tree for the purpose of protecting it from injury or harm.

Protection of Trees on City Property

“**Drip Line**” means the outer boundary of an area on the surface of the ground that corresponds to the outer edge of the crown of a tree.

“**City Property**” means any park, street, highway, and any other land owned, leased or otherwise vested in or controlled by the municipality or by any local board thereof, excluding the watershed lands.

“**Public Tree**” means a tree of which any part of the trunk is on City property and includes all growing shrubs and woody vegetation now or hereafter growing on any City property.

“**Utility**” includes the facilities for energy, water, sewer and gas communication and transportation, the provision of those facilities, and the contact responsible for their provision and maintenance (whether the facilities are publicly or privately owned).

“**Works**” includes the installation and maintenance of utilities, paving or repairing of roads, sidewalks or boulevards, construction, demolition or replacement of any structure, excavation, landscaping activity, snow removal, and grounds maintenance.

4. Roles and Responsibilities for Management of Public Trees

The authority for planting, care, and removal of all trees on any City property, excluding watershed lands, shall be under the supervision of the General Manager, Parks & Leisure Services. This includes all works being carried out by members of the public and any municipal department, including capital projects and private activities, which could change the aesthetics or health of public trees.

The City of Moncton Arborist, working in conjunction with the General Manager, Parks & Leisure Services, will play a key role in determining the value of trees on City land.

5. Guidelines

1. Protection of Trees

No person shall plant, remove or alter a tree on City property, including parkland, Land for Public Purposes, and street Right-Of-Ways, without first receiving written permission to do so from the General Manager, Parks & Leisure Services or his designate. The following work must be performed in accordance with the guidelines outlined in [The City of Moncton Tree Protection Standards Manual](#). These Standards will be provided to everyone requesting a building permit from the City of Moncton Building Inspection Department.

These guidelines cover:

- a. removal, planting, and or pruning of public trees;

Protection of Trees on City Property

- b. working in, above, around, or beneath public trees which would cause damage to the public tree, its roots, or alter drainage patterns in a manner which may interfere with the access to water, air or other nutrients;
- c. excavating or disturbing the soil within the drip line (includes the compacting of the soil from equipment).

2. Removal of a Healthy Tree

When the removal of a healthy tree(s) on City property is absolutely necessary, the City will seek compensation through various methods including: a ratio of new trees to old trees being removed; financial compensation to the City to be used for new planting; or transplanting those trees which can survive such activity. The method of compensation will be negotiated with City staff and subject to Council approval if any disagreements should arise. In the event an agreement for compensation between the parties cannot be attained, legal action remains an option of The City of Moncton.

The location of a new tree being planted or the transplanting of an existing tree will be determined by the Parks & Leisure Services Department (Operations) and will be done within an agreed upon period of time. The value of the tree(s) being removed will be determined by the Parks & Leisure Services Department (Operations) using the most recent copy of the Guide for Plant Appraisal issued by the International Society of Arboriculture. The person or municipal department requesting the removal of the tree(s) will incur all costs associated with the removal, including the removal of the stump as well as all required restoration.

If a City tree is determined to be the cause of a utility conflict (i.e. blocking the view of a stop sign, heaving of sidewalk or curb) or the cause of sewer blockage, the General Manager, Parks & Leisure Services or his designate will determine if the tree in question is worth saving or better removed and replaced.

3. Responsibilities of Public Utilities

The Parks & Leisure Services Department (Operations), understanding the necessity to protect utilities from public trees, will work in cooperation with Public and Private Utility entities to ensure City trees are protected. Pruning works must conform to ANSI-A300 standards and best management practices for Utility Pruning of Trees. Any pruning work shall be done in a professional, neat and appropriate manner and in accordance with established standards to facilitate minimal cutting.

In a spirit of cooperation, to protect public trees, the Parks & Leisure Services Department (Operations) will endeavor to reach agreement with utility companies on an ongoing basis to provide for the following:

- a. provide advance notification to the Parks & Leisure Services Department (Operations) so municipal staff can have an opportunity to inspect the public trees to be pruned;
- b. provide the Parks & Leisure Services Department (Operations) with an advance copy of any maintenance specification tender or contract for review and comments prior to award;

Protection of Trees on City Property

- c. provide the Parks & Leisure Services (Operations) with the name, qualifications and a contact person of the individual/corporation carrying out such pruning work;
- d. provide one (1) week advance notification to the Parks & Leisure Services Department (Operations) and adjacent homeowners when works are to be discharged;
- e. where a Utility alters a public tree, the General Manager, Parks & Leisure Services, may assign a municipal inspector to supervise the work;
- f. ensure all subterranean utilities are installed by tunneling at a depth and in a manner, which will prevent and/or minimize injury to a public tree.

6. Administration and Contact

City Hall

655 Main St., Moncton, NB E1C 1E8

Telephone: 506.853.3550

Email: info.clerk@moncton.ca